

**JOURNAL OF THE HOUSE****Sixty-seventh Legislative Assembly**

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**Bismarck, February 10, 2021**

The House convened at 1:00 p.m., with Speaker K. Koppelman presiding.

The prayer was offered by Pastor Paul Herr, Century Baptist Church, Bismarck.

The roll was called and all members were present.

A quorum was declared by the Speaker.

**MOTION**

**REP. LOUSER MOVED** that HB 1425, which is on the Sixth order, be rereferred to the **Finance and Taxation Committee**, which motion prevailed. Pursuant to Rep. Louser's motion, HB 1425 was rereferred.

**REQUEST**

**REP. M. NELSON REQUESTED** that amendments to HB 1374 be heard separately, which request was granted.

**SIXTH ORDER OF BUSINESS**

**SPEAKER K. KOPPELMAN DEEMED** approval of the amendments to HB 1065, HB 1080, HB 1090, HB 1147, HB 1166, Engrossed HB 1181, HB 1190, HB 1212, HB 1287, HB 1298, HB 1318, HB 1328, HB 1345, HB 1407, HB 1413, HB 1429, HB 1430, HB 1441, HB 1478, and HB 1479.

HB 1090, HB 1147, HB 1212, and HB 1407, as amended, were rereferred to the **Appropriations Committee**.

HB 1065, HB 1080, HB 1166, Engrossed HB 1181, HB 1190, HB 1287, HB 1298, HB 1318, HB 1328, HB 1345, HB 1413, HB 1429, HB 1430, HB 1441, HB 1478, and HB 1479, as amended, were placed on the Eleventh order of business on the calendar for the succeeding legislative day.

**SIXTH ORDER OF BUSINESS**

**HB 1374: REP. ERTELT (Finance and Taxation Committee) MOVED** that the amendments on HJ page 559 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed on a voice vote.

**MOTION**

**REP. LOUSER MOVED** that HB 1296, which is on the Eleventh order, be laid over one legislative day, and that HB 1196, which is on the Eleventh order, be laid over one legislative day, and that HB 1176, which is on the Eleventh order, be laid over one legislative day, and that HB 1322, which is on the Eleventh order, be laid over one legislative day, and that HB 1177, which is on the Eleventh order, be laid over one legislative day, and that HB 1162, which is on the Eleventh order, be laid over one legislative day, and that HB 1123, which is on the Eleventh order, be laid over one legislative day, which motion prevailed on a voice vote.

**SECOND READING OF HOUSE BILL**

**HB 1138:** A BILL for an Act to provide for a civil action against the state or a political subdivision for a state constitutional free speech violation.

**ROLL CALL**

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 28 YEAS, 66 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** Becker; Bellew; Christensen; Delzer; Ertelt; Headland; Hoverson; Kading; Kasper;

Kiefert; Koppelman, B.; Louser; Magrum; Marschall; Nelson, M.; Rohr; Ruby, D.; Ruby, M.; Schatz; Schauer; Schmidt; Schobinger; Simons; Skroch; Steiner; Toman; Tveit; Speaker Koppelman, K.

**NAYS:** Adams; Anderson, B.; Anderson, D.; Anderson, P.; Beltz; Boe; Bosch; Boschee; Brandenburg; Buffalo; Cory; Damschen; Devlin; Dobervich; Dockter; Fegley; Fisher; Guggisberg; Hager; Hagert; Hanson; Hatlestad; Heinert; Howe; Ista; Johnson, D.; Johnson, M.; Jones; Karls; Keiser; Kempenich; Klemin; Kreidt; Lefor; Longmuir; Martinson; Meier; Mitskog; Mock; Monson; Nathe; Nehring; Nelson, J.; O'Brien; Ostlie; Owens; Paulson; Paur; Pollert; Porter; Pyle; Richter; Roers Jones; Sanford; Satrom; Schneider; Schreiber-Beck; Stemen; Strinden; Thomas; Trottier; Vetter; Vigesaa; Weisz; Westlind; Zubke

HB 1138 failed.

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#### MOTION

**REP. LOUSER MOVED** that HB 1374, which is on the Eleventh order on the calendar for the succeeding legislative day, be placed at the top of the Eleventh order on today's calendar for immediate and final passage, which motion prevailed on a voice vote.

#### SECOND READING OF HOUSE BILL

**HB 1374:** A BILL for an Act to create and enact a new subdivision to subsection 2 of section 57-38-30.3 of the North Dakota Century Code, relating to an income tax deduction for COVID-19 relief benefits; and to provide an effective date.

#### ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 62 YEAS, 32 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** Anderson, B.; Becker; Bellew; Boschee; Buffalo; Christensen; Cory; Damschen; Devlin; Ertelt; Fegley; Fisher; Hagert; Hanson; Hatlestad; Hoverson; Ista; Johnson, D.; Jones; Kading; Karls; Kasper; Kempenich; Kiefert; Klemin; Koppelman, B.; Kreidt; Lefor; Longmuir; Louser; Magrum; Marschall; Martinson; Meier; Mitskog; Mock; Monson; O'Brien; Owens; Paulson; Pyle; Richter; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schatz; Schauer; Schmidt; Schneider; Schobinger; Simons; Skroch; Steiner; Stemen; Toman; Tveit; Vetter; Vigesaa; Westlind; Speaker Koppelman, K.

**NAYS:** Adams; Anderson, D.; Anderson, P.; Beltz; Boe; Bosch; Brandenburg; Delzer; Dobervich; Dockter; Guggisberg; Hager; Headland; Heinert; Howe; Johnson, M.; Keiser; Nathe; Nehring; Nelson, J.; Nelson, M.; Ostlie; Paur; Pollert; Porter; Roers Jones; Schreiber-Beck; Strinden; Thomas; Trottier; Weisz; Zubke

HB 1374 passed.

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#### SECOND READING OF HOUSE BILL

**HB 1240:** A BILL for an Act to create and enact a new section to chapter 12.1-25 of the North Dakota Century Code, relating to restitution for riot offenses; and to provide a penalty.

#### ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 21 YEAS, 73 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** Bellew; Boe; Ertelt; Hoverson; Kading; Kasper; Koppelman, B.; Marschall; Meier; Owens; Richter; Rohr; Schatz; Schauer; Schobinger; Simons; Skroch; Steiner; Toman; Vigesaa; Speaker Koppelman, K.

**NAYS:** Adams; Anderson, B.; Anderson, D.; Anderson, P.; Becker; Beltz; Bosch; Boschee;

Brandenburg; Buffalo; Christensen; Cory; Damschen; Delzer; Devlin; Dobervich; Dockter; Fegley; Fisher; Guggisberg; Hager; Hagert; Hanson; Hatlestad; Headland; Heinert; Howe; Ista; Johnson, D.; Johnson, M.; Jones; Karls; Keiser; Kempenich; Kiefert; Klemin; Kreidt; Lefor; Longmuir; Louser; Magrum; Martinson; Mitskog; Mock; Monson; Nathe; Nehring; Nelson, J.; Nelson, M.; O'Brien; Ostlie; Paulson; Paur; Pollert; Porter; Pyle; Roers Jones; Ruby, D.; Ruby, M.; Sanford; Satrom; Schmidt; Schneider; Schreiber-Beck; Stemen; Strinden; Thomas; Trottier; Tveit; Vetter; Weisz; Westlind; Zubke

HB 1240 failed.

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### SECOND READING OF HOUSE BILL

**HB 1385:** A BILL for an Act to amend and reenact section 28-32-14 of the North Dakota Century Code, relating to the attorney general review of proposed administrative rules.

### ROLL CALL

The question being on the final passage of the bill, which has been read, and is PLACED ON THE CALENDAR WITHOUT RECOMMENDATION, the roll was called and there were 28 YEAS, 66 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** Becker; Bellew; Boe; Christensen; Damschen; Ertelt; Hoverson; Jones; Kading; Kasper; Koppelman, B.; Louser; Magrum; Marschall; Nelson, M.; Paulson; Paur; Rohr; Ruby, D.; Schatz; Schauer; Simons; Skroch; Steiner; Toman; Trottier; Vetter; Speaker Koppelman, K.

**NAYS:** Adams; Anderson, B.; Anderson, D.; Anderson, P.; Beltz; Bosch; Boschee; Brandenburg; Buffalo; Cory; Delzer; Devlin; Dobervich; Dockter; Fegley; Fisher; Guggisberg; Hager; Hagert; Hanson; Hatlestad; Headland; Heinert; Howe; Ista; Johnson, D.; Johnson, M.; Karls; Keiser; Kempenich; Kiefert; Klemin; Kreidt; Lefor; Longmuir; Martinson; Meier; Mitskog; Mock; Monson; Nathe; Nehring; Nelson, J.; O'Brien; Ostlie; Owens; Pollert; Porter; Pyle; Richter; Roers Jones; Ruby, M.; Sanford; Satrom; Schmidt; Schneider; Schobinger; Schreiber-Beck; Stemen; Strinden; Thomas; Tveit; Vigasaa; Weisz; Westlind; Zubke

HB 1385 failed.

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### SECOND READING OF HOUSE BILL

**HB 1244:** A BILL for an Act to create and enact section 4.1-25-40.1 of the North Dakota Century Code, relating to the direct sale of raw milk or raw milk products; and to amend and reenact subsection 1 of section 4.1-25-02 of the North Dakota Century Code, relating to licensure for the sale of raw milk or raw milk products.

### ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 5 YEAS, 89 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** Christensen; Ertelt; Hoverson; Kading; Magrum

**NAYS:** Adams; Anderson, B.; Anderson, D.; Anderson, P.; Becker; Bellew; Beltz; Boe; Bosch; Boschee; Brandenburg; Buffalo; Cory; Damschen; Delzer; Devlin; Dobervich; Dockter; Fegley; Fisher; Guggisberg; Hager; Hagert; Hanson; Hatlestad; Headland; Heinert; Howe; Ista; Johnson, D.; Johnson, M.; Jones; Karls; Kasper; Keiser; Kempenich; Kiefert; Klemin; Koppelman, B.; Kreidt; Lefor; Longmuir; Louser; Marschall; Martinson; Meier; Mitskog; Mock; Monson; Nathe; Nehring; Nelson, J.; Nelson, M.; O'Brien; Ostlie; Owens; Paulson; Paur; Pollert; Porter; Pyle; Richter; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schatz; Schauer; Schmidt; Schneider; Schobinger; Schreiber-Beck; Simons; Skroch; Steiner; Stemen; Strinden; Thomas; Toman; Trottier; Tveit; Vetter; Vigasaa; Weisz; Westlind; Zubke; Speaker Koppelman, K.

HB 1244 failed.

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### SECOND READING OF HOUSE BILL

**HB 1088:** A BILL for an Act to amend and reenact section 61-02-01.3 of the North Dakota Century Code, relating to the state water commission's comprehensive water development plan; and to repeal section 61-02-01.5 of the North Dakota Century Code, relating to North Dakota outdoor heritage fund grants and their effect on state water commission cost-share amounts.

### ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 82 YEAS, 12 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** Adams; Anderson, B.; Anderson, D.; Anderson, P.; Beltz; Boe; Bosch; Boschee; Brandenburg; Buffalo; Cory; Damschen; Delzer; Devlin; Dobervich; Dockter; Fegley; Fisher; Guggisberg; Hager; Hagert; Hanson; Hatlestad; Headland; Heinert; Howe; Ista; Johnson, D.; Johnson, M.; Jones; Kading; Karls; Kasper; Keiser; Kempenich; Kiefert; Klemin; Koppelman, B.; Kreidt; Lefor; Longmuir; Louser; Marschall; Martinson; Meier; Mock; Monson; Nathe; Nehring; O'Brien; Ostlie; Owens; Paulson; Paur; Pollert; Porter; Pyle; Richter; Roers Jones; Ruby, D.; Ruby, M.; Sanford; Satrom; Schatz; Schauer; Schmidt; Schneider; Schobinger; Schreiber-Beck; Steiner; Stemen; Strinden; Thomas; Toman; Trottier; Tveit; Vetter; Vigesaa; Weisz; Westlind; Zubke; Speaker Koppelman, K.

**NAYS:** Becker; Bellew; Christensen; Ertelt; Hoverson; Magrum; Mitskog; Nelson, J.; Nelson, M.; Rohr; Simons; Skroch

HB 1088 passed.

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### SECOND READING OF HOUSE BILL

**HB 1491:** A BILL for an Act to provide an appropriation to the industrial commission for contracting with the energy and environmental research center to develop a roadmap for the implementation of hydrogen energy.

### ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 38 YEAS, 54 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Adams; Anderson, D.; Anderson, P.; Boe; Boschee; Brandenburg; Buffalo; Cory; Devlin; Dobervich; Guggisberg; Hager; Hanson; Hoverson; Ista; Kasper; Keiser; Kempenich; Koppelman, B.; Martinson; Meier; Mitskog; Monson; Nelson, J.; Nelson, M.; O'Brien; Paur; Sanford; Satrom; Schauer; Schneider; Schreiber-Beck; Steiner; Tveit; Vetter; Weisz; Westlind; Speaker Koppelman, K.

**NAYS:** Anderson, B.; Becker; Bellew; Beltz; Bosch; Christensen; Damschen; Delzer; Dockter; Ertelt; Fegley; Fisher; Hagert; Hatlestad; Headland; Heinert; Howe; Johnson, D.; Johnson, M.; Jones; Kading; Karls; Kiefert; Klemin; Kreidt; Lefor; Longmuir; Louser; Magrum; Marschall; Nathe; Nehring; Ostlie; Owens; Paulson; Pollert; Porter; Pyle; Richter; Rohr; Ruby, D.; Ruby, M.; Schatz; Schmidt; Schobinger; Simons; Skroch; Stemen; Strinden; Thomas; Toman; Trottier; Vigesaa; Zubke

**ABSENT AND NOT VOTING:** Mock; Roers Jones

HB 1491 failed.

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**SECOND READING OF HOUSE BILL**

**HB 1227:** A BILL for an Act to amend and reenact sections 15.1-07-29 and 15.1-36-06 and subsection 5 of section 15.1-36-08 of the North Dakota Century Code, relating to school district ending fund balances and limitations on school construction loans; to repeal section 15.1-27-35.3 of the North Dakota Century Code, relating to school district unobligated general fund balances; and to provide a continuing appropriation.

**ROLL CALL**

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 23 YEAS, 71 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** Adams; Anderson, D.; Anderson, P.; Boe; Boschee; Buffalo; Dobervich; Guggisberg; Hager; Hanson; Ista; Kempenich; Mitskog; Mock; Monson; Nelson, M.; Ostlie; Paur; Satrom; Schneider; Skroch; Trottier; Westlind

**NAYS:** Anderson, B.; Becker; Bellew; Beltz; Bosch; Brandenburg; Christensen; Cory; Damschen; Delzer; Devlin; Dockter; Ertelt; Fegley; Fisher; Hagert; Hatlestad; Headland; Heinert; Hoverson; Howe; Johnson, D.; Johnson, M.; Jones; Kading; Karls; Kasper; Keiser; Kiefert; Klemin; Koppelman, B.; Kreidt; Lefor; Longmuir; Louser; Magrum; Marschall; Martinson; Meier; Nathe; Nehring; Nelson, J.; O'Brien; Owens; Paulson; Pollert; Porter; Pyle; Richter; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Schatz; Schauer; Schmidt; Schobinger; Schreiber-Beck; Simons; Steiner; Stemen; Strinden; Thomas; Toman; Tveit; Vetter; Vigasaa; Weisz; Zubke; Speaker Koppelman, K.

HB 1227 failed.

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**SECOND READING OF HOUSE BILL**

**HB 1432:** A BILL for an Act to amend and reenact section 15.1-13-11 of the North Dakota Century Code, relating to teacher licensing fees.

**ROLL CALL**

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 7 YEAS, 87 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** Becker; Ertelt; Headland; Keiser; Ostlie; Satrom; Vetter

**NAYS:** Adams; Anderson, B.; Anderson, D.; Anderson, P.; Bellew; Beltz; Boe; Bosch; Boschee; Brandenburg; Buffalo; Christensen; Cory; Damschen; Delzer; Devlin; Dobervich; Dockter; Fegley; Fisher; Guggisberg; Hager; Hagert; Hanson; Hatlestad; Heinert; Hoverson; Howe; Ista; Johnson, D.; Johnson, M.; Jones; Kading; Karls; Kasper; Kempenich; Kiefert; Klemin; Koppelman, B.; Kreidt; Lefor; Longmuir; Louser; Magrum; Marschall; Martinson; Meier; Mitskog; Mock; Monson; Nathe; Nehring; Nelson, J.; Nelson, M.; O'Brien; Owens; Paulson; Paur; Pollert; Porter; Pyle; Richter; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Schatz; Schauer; Schmidt; Schneider; Schobinger; Schreiber-Beck; Simons; Skroch; Steiner; Stemen; Strinden; Thomas; Toman; Trottier; Tveit; Vigasaa; Weisz; Westlind; Zubke; Speaker Koppelman, K.

HB 1432 failed.

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**SECOND READING OF HOUSE BILL**

**HB 1438:** A BILL for an Act to amend and reenact section 47-32-02 of the North Dakota Century Code, relating to the contents of a notice of intention to evict.

**ROLL CALL**

The question being on the final passage of the bill, which has been read, and has committee

recommendation of DO NOT PASS, the roll was called and there were 16 YEAS, 78 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** Adams; Anderson, P.; Boe; Boschee; Buffalo; Dobervich; Guggisberg; Hager; Hanson; Ista; Kreidt; Mitskog; Mock; Nelson, M.; Richter; Schneider

**NAYS:** Anderson, B.; Anderson, D.; Becker; Bellew; Beltz; Bosch; Brandenburg; Christensen; Cory; Damschen; Delzer; Devlin; Dockter; Ertelt; Fegley; Fisher; Hagert; Hatlestad; Headland; Heinert; Hoverson; Howe; Johnson, D.; Johnson, M.; Jones; Kading; Karls; Kasper; Keiser; Kempenich; Kiefert; Klemin; Koppelman, B.; Lefor; Longmuir; Louser; Magrum; Marschall; Martinson; Meier; Monson; Nathe; Nehring; Nelson, J.; O'Brien; Ostlie; Owens; Paulson; Paur; Pollert; Porter; Pyle; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schatz; Schauer; Schmidt; Schobinger; Schreiber-Beck; Simons; Skroch; Steiner; Stemen; Strinden; Thomas; Toman; Trottier; Tveit; Vetter; Vigesaa; Weisz; Westlind; Zubke; Speaker Koppelman, K.

HB 1438 failed.

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### SECOND READING OF HOUSE BILL

**HB 1282:** A BILL for an Act to create and enact a new section to chapter 54-35 of the North Dakota Century Code, relating to a joint committee on nullification of federal laws; and to provide a directive.

### ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 51 YEAS, 43 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** Becker; Bellew; Bosch; Christensen; Cory; Damschen; Delzer; Dockter; Ertelt; Fegley; Fisher; Hagert; Headland; Heinert; Hoverson; Howe; Johnson, M.; Jones; Kading; Kasper; Kempenich; Kiefert; Koppelman, B.; Kreidt; Lefor; Louser; Magrum; Marschall; Meier; Monson; Nehring; Paulson; Paur; Pyle; Rohr; Ruby, D.; Ruby, M.; Satrom; Schatz; Schauer; Schmidt; Schobinger; Simons; Skroch; Steiner; Stemen; Toman; Tveit; Vetter; Weisz; Speaker Koppelman, K.

**NAYS:** Adams; Anderson, B.; Anderson, D.; Anderson, P.; Beltz; Boe; Boschee; Brandenburg; Buffalo; Devlin; Dobervich; Guggisberg; Hager; Hanson; Hatlestad; Ista; Johnson, D.; Karls; Keiser; Klemin; Longmuir; Martinson; Mitskog; Mock; Nathe; Nelson, J.; Nelson, M.; O'Brien; Ostlie; Owens; Pollert; Porter; Richter; Roers Jones; Sanford; Schneider; Schreiber-Beck; Strinden; Thomas; Trottier; Vigesaa; Westlind; Zubke

Engrossed HB 1282 passed.

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### MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)

**MR. PRESIDENT:** The House has passed, and your favorable consideration is requested on: HB 1205, HB 1343, HB 1364, HB 1390, HB 1471, HB 1494.

### MESSAGE TO THE HOUSE FROM THE SENATE (SHANDA MORGAN, SECRETARY)

**MR. SPEAKER:** The Senate has passed, and your favorable consideration is requested on: SB 2151, SB 2161, SB 2162, SB 2211, SB 2256, SB 2280, SB 2283, SB 2297, SB 2328.

### MESSAGE TO THE HOUSE FROM THE SENATE (SHANDA MORGAN, SECRETARY)

**MR. SPEAKER:** The Senate has passed, and your favorable consideration is requested on: SCR 4009.

### MOTION

**REP. LOUSER MOVED** that the House be on the Fourth, Fifth, Ninth, and Thirteenth orders of business and at the conclusion of those orders, the House stand adjourned until 1:00 p.m., Thursday, February 11, 2021, which motion prevailed on a voice vote.

**REPORT OF STANDING COMMITTEE**

**HB 1030: Appropriations Committee (Rep. Delzer, Chairman)** recommends **DO PASS** (18 YEAS, 2 NAYS, 1 ABSENT AND NOT VOTING). HB 1030 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1134: Judiciary Committee (Rep. Klemin, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (11 YEAS, 2 NAYS, 1 ABSENT AND NOT VOTING). HB 1134 was placed on the Sixth order on the calendar.

Page 1, line 10, remove the overstrike over "~~or material mistake of fact~~"

Page 1, line 13, replace "~~or material mistake of fact~~" with "in accordance with subsection 6 of section 28-01-16"

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**HB 1152: Industry, Business and Labor Committee (Rep. Lefor, Chairman)** recommends **BE PLACED ON THE CALENDAR WITHOUT RECOMMENDATION** (12 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). HB 1152 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1185: Judiciary Committee (Rep. Klemin, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1185 was placed on the Sixth order on the calendar.

Page 1, line 18, replace the first "the" with "that"

Page 3, line 2, replace "confidential" with "exempt"

Page 3, line 4, after the underscored semicolon insert "and"

Page 3, line 5, replace "of" with "uniquely owned by"

Page 3, line 5, remove the underscored semicolon

Page 3, remove lines 6 and 7

Page 3, line 8, remove "(5) Day and month of birth of a minor party in the report"

Page 3, line 11, replace "C felony" with "B misdemeanor"

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**HB 1219: Human Services Committee (Rep. Weisz, Chairman)** recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1219 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1259: Human Services Committee (Rep. Weisz, Chairman)** recommends **DO PASS** (11 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING). HB 1259 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1260: Industry, Business and Labor Committee (Rep. Lefor, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO NOT PASS** (10 YEAS, 3 NAYS, 1 ABSENT AND NOT VOTING). HB 1260 was placed on the Sixth order on the calendar.

Page 1, line 2, remove the second "and"

Page 1, line 3, remove "employees"

Page 1, line 12, replace "political subdivision" with "city"

Page 1, line 15, remove "every statewide elected official; state department and agency head."

Page 1, remove lines 16 and 17

Page 1, line 18, replace "thousand dollars; and state legislator" with "the governor and every member of the legislative assembly"

Page 1, line 19, remove "or county"

Page 1, line 20, remove "elected official and head of every department and"

Page 1, line 21, replace "agency" with "commissioner"

Page 1, line 21, remove "or county and every city or county employee with a"

Page 1, line 22, replace "salary greater than one hundred twenty-five thousand dollars" with "and the mayor or city manager"

Page 2, line 5, remove "or"

Page 2, line 6, after "road" insert "or infrastructure"

Page 2, line 6, after "maintenance" insert "; or

c. Was imposed due to a natural disaster"

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1272: Industry, Business and Labor Committee (Rep. Lefor, Chairman)** recommends **DO PASS** (11 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING). HB 1272 was placed on the Eleventh order on the calendar.

#### REPORT OF STANDING COMMITTEE

**HB 1313: Human Services Committee (Rep. Weisz, Chairman)** recommends **DO NOT PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1313 was placed on the Eleventh order on the calendar.

#### REPORT OF STANDING COMMITTEE

**HB 1314: Industry, Business and Labor Committee (Rep. Lefor, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1314 was placed on the Sixth order on the calendar.

Page 1, line 22, after "subdivision" insert "within the state"

Page 3, after line 23, insert:

"15. "Significant damage" means:

- a. A degradation in or loss of mission capability to an extent and duration that the entity is not able to perform one or more of its primary functions;
- b. Damages of ten thousand dollars or more to entity assets as estimated by the entity;
- c. A financial loss of ten thousand dollars or more as estimated by the entity; or



- d. Harm to individuals involving loss of life or serious life-threatening injuries."

Page 3, line 30, replace "affecting more than ten thousand dollars worth of devices or services" with "incidents that cause significant damage"

Re-number accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1316: Industry, Business and Labor Committee (Rep. Lefor, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). HB 1316 was placed on the Sixth order on the calendar.

Page 1, line 2, after "state" insert "; and to declare an emergency"

Page 2, after line 3, insert:

**"SECTION 2. EMERGENCY.** This Act is declared to be an emergency measure."

Re-number accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1330: Industry, Business and Labor Committee (Rep. Lefor, Chairman)** recommends **DO NOT PASS** (12 YEAS, 1 NAY, 1 ABSENT AND NOT VOTING). HB 1330 was placed on the Eleventh order on the calendar.

#### REPORT OF STANDING COMMITTEE

**HB 1332: Human Services Committee (Rep. Weisz, Chairman)** recommends **DO PASS** (10 YEAS, 3 NAYS, 1 ABSENT AND NOT VOTING). HB 1332 was placed on the Eleventh order on the calendar.

#### REPORT OF STANDING COMMITTEE

**HB 1359: Human Services Committee (Rep. Weisz, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (10 YEAS, 4 NAYS, 0 ABSENT AND NOT VOTING). HB 1359 was placed on the Sixth order on the calendar.

Page 2, line 12, replace "three" with "five"

Page 2, line 25, remove "political"

Page 2, line 26, replace "faction" with "chamber"

Re-number accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1391: Human Services Committee (Rep. Weisz, Chairman)** recommends **DO PASS** (8 YEAS, 6 NAYS, 0 ABSENT AND NOT VOTING). HB 1391 was placed on the Eleventh order on the calendar.

#### REPORT OF STANDING COMMITTEE

**HB 1393: Judiciary Committee (Rep. Klemin, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1393 was placed on the Sixth order on the calendar.

Page 2, line 7, after the second underscored period insert "For purposes of this section, "restorative justice program" means a system of justice which focuses on the rehabilitation of offenders through reconciliation with victims and the community at large."

Re-number accordingly

**REPORT OF STANDING COMMITTEE**

**HB 1410: Judiciary Committee (Rep. Klemin, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (10 YEAS, 3 NAYS, 1 ABSENT AND NOT VOTING). HB 1410 was placed on the Sixth order on the calendar.

Page 2, line 12, after "any" insert "comparable"

Page 2, line 12, remove "of reasonably"

Page 2, line 13, remove "comparable risk."

Page 2, line 13, remove "through clear and"

Page 2, remove line 14

Page 2, line 15, replace "extraordinary health risk" with "the disparate treatment is necessary to further a compelling penological interest and is the least restrictive means of furthering that compelling penological interest"

Page 2, line 18, remove "through clear and convincing scientific evidence that the provision"

Page 2, remove line 19

Page 2, line 20, replace "access is the least restrictive means of addressing the extraordinary health risk" with "the denial is necessary to further a compelling penological interest and is the least restrictive means of furthering that compelling penological interest"

Page 2, line 22, after "assert" insert ", after exhausting appropriate administrative remedies."

Page 3, line 9, after "any" insert "comparable"

Page 3, line 9, remove "of reasonably"

Page 3, line 10, remove "comparable risk."

Page 3, line 10, remove "through clear and convincing"

Page 3, remove line 11

Page 3, line 12, replace "health risk" with "the disparate treatment is necessary to further a compelling penological interest and is the least restrictive means of furthering that compelling penological interest"

Page 3, line 14, remove "through clear and"

Page 3, remove lines 15 and 16

Page 3, line 17, replace "addressing the extraordinary health risk" with "the denial is necessary to further a compelling penological interest and is the least restrictive means of furthering that compelling penological interest"

Page 4, line 8, remove "scientific"

Page 4, line 12, after "assert" insert ", after exhausting appropriate administrative remedies."

Page 4, line 24, after "any" insert "comparable"

Page 4, line 24, remove "of reasonably"

Page 4, line 25, remove "comparable risk."

Page 4, line 25, remove "through clear and"

Page 4, remove line 26

Page 4, line 27, replace "extraordinary health risk" with "the disparate treatment is necessary to further a compelling penological interest and is the least restrictive means of furthering that compelling penological interest"

Page 4, line 29, remove "through clear and convincing"

Page 4, remove line 30

Page 5, remove line 1

Page 5, line 2, replace "addressing the extraordinary health risk" with "the denial is necessary to further a compelling penological interest and is the least restrictive means of furthering that compelling penological interest"

Page 5, line 4, after "assert" insert ", after exhausting appropriate administrative remedies."

Page 7, line 29, remove "scientific"

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1415: Human Services Committee (Rep. Weisz, Chairman)** recommends **DO NOT PASS** (12 YEAS, 1 NAY, 1 ABSENT AND NOT VOTING). HB 1415 was placed on the Eleventh order on the calendar.

#### REPORT OF STANDING COMMITTEE

**HB 1422: Finance and Taxation Committee (Rep. Headland, Chairman)** recommends **DO NOT PASS** (9 YEAS, 5 NAYS, 0 ABSENT AND NOT VOTING). HB 1422 was placed on the Eleventh order on the calendar.

#### REPORT OF STANDING COMMITTEE

**HB 1423: Judiciary Committee (Rep. Klemin, Chairman)** recommends **DO NOT PASS** (7 YEAS, 6 NAYS, 1 ABSENT AND NOT VOTING). HB 1423 was placed on the Eleventh order on the calendar.

#### REPORT OF STANDING COMMITTEE

**HB 1425: Finance and Taxation Committee (Rep. Headland, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1425 was placed on the Sixth order on the calendar.

Page 1, line 2, remove "revolving"

Page 1, line 2, replace "fund" with "program"

Page 1, line 9, remove "**revolving**"

Page 1, line 9, replace "**fund**" with "**program**"

Page 1, remove lines 10 through 24

Page 2, replace lines 1 through 20 with:

- "1. The legacy infrastructure loan program is created from which the Bank of North Dakota shall provide loans to political subdivisions, the Garrison Diversion Conservancy District, and the Lake Agassiz water authority for eligible infrastructure projects as authorized in this section.
- "2. The Bank of North Dakota may adopt policies and establish guidelines to administer the legacy infrastructure loan program in accordance with this section.

3. A loan made from the legacy infrastructure loan program must have an interest rate that does not exceed two percent per year. The maximum term of a loan under subsections 7 and 9 is forty years or the useful life of the project.
4. The Bank of North Dakota shall transfer all payments of principal and interest paid on loans made from the legacy infrastructure loan program to the legacy fund. The Bank may use a portion of the interest paid on the outstanding loans as a servicing fee to pay for administrative costs, which may not exceed one-half of one percent of the amount of the outstanding loans.
5. An applicant shall issue an evidence of indebtedness as authorized by law.
6. When processing political subdivision loan applications under this section, the Bank of North Dakota shall calculate the maximum outstanding loan amount per qualified applicant. The maximum outstanding loan amount for infrastructure projects under subsection 7 is forty million dollars. The Bank shall consider the ability of the applicant to repay the loan while processing the application and shall issue loans only to applicants that provide reasonable assurance of sufficient future income to repay the loan.
7. Eligible infrastructure projects under this subsection are capital projects to construct new infrastructure or to replace infrastructure and which provide the fixed installations necessary for the function of a political subdivision and are in the interest of the public. Capital construction projects include:
  - a. Water treatment plants;
  - b. Wastewater treatment plants;
  - c. Sewerlines and waterlines, including lift stations and pumping stations;
  - d. Water storage systems, including dams, water tanks, and water towers;
  - e. Storm water infrastructure, including curb and gutter construction;
  - f. Road and bridge infrastructure, including paved and unpaved roads and bridges;
  - g. Airport infrastructure;
  - h. Electricity transmission infrastructure;
  - i. Natural gas transmission infrastructure;
  - j. Communications infrastructure;
  - k. Emergency services facilities, excluding hospitals;
  - l. Essential political subdivision building and infrastructure; and
  - m. The Red River valley water supply project.
8. The department of transportation shall approve county road and bridge projects for purposes of loans under this section and may adopt policies for the review and approval of projects under this section.
9. For purposes of loans under this subsection, the state water commission shall review and approve eligible projects to construct new water-related

infrastructure or to replace existing water-related infrastructure which provide the fixed installations necessary for the function of a political subdivision and are in the best interest of the public. The state water commission may adopt policies for the review and approval of projects under this section. Capital construction projects include:

- a. Flood control;
  - b. Conveyance projects;
  - c. Rural water supply;
  - d. Water supply; and
  - e. General water management.
10. Capital construction projects under subsections 7 and 9 do not include routine maintenance and repair projects."

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**HB 1472: Human Services Committee (Rep. Weisz, Chairman)** recommends **DO NOT PASS** (8 YEAS, 6 NAYS, 0 ABSENT AND NOT VOTING). HB 1472 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1493: Human Services Committee (Rep. Weisz, Chairman)** recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1493 was placed on the Eleventh order on the calendar.

The House stood adjourned pursuant to Representative Louser's motion.

**Buell J. Reich, Chief Clerk**

